

MEMO ENDORSED



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July 15, 2008

BY HAND DELIVERY

Honorable Naomi R. Buchwald
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

**USDS SDNY
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Re: Lucille Greco v. City of New York, et al., 08 Civ. 1821 (NRB)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, representing defendants City of New York, Sergeant Ferrante and Police Officers Williams and Somervil in the above-referenced matter. I write to advise the Court as to the status of settlement discussions between the parties, and to respectfully request that Your Honor set a discovery schedule in the above-referenced matter.

As Your Honor may recall, at the Initial Conference held on July 8, 2008, at 3:30 p.m., the Court directed plaintiff to provide defendants with a settlement demand and recommended that the parties attempt to reach a resolution to this matter so as to avoid litigating this case. Your Honor directed the undersigned to provide the Court with a letter by July 22, 2008, as to the status of any settlement negotiations.

On July 14, 2008, plaintiff's counsel, Rene Myatt, Esq., provided defendants with a settlement demand of \$150,000.00, as plaintiff alleges that she was psychologically and emotionally injured as a result of the April 3, 2007 incident. Defendants believe that plaintiff's demand is excessive in light of the fact that plaintiff was detained for a total of one to two hours and was released upon being issued a summons.

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While defendants are in the process of securing settlement authority in this matter, defendants are not optimistic that the amount of authority received will be sufficient to settle this case. Accordingly, defendants respectfully request that Your Honor set a discovery schedule in the above-referenced matter, and respectfully request that the Court adopt the following case management plan:

Initial Disclosures to be served by:
 Discovery to be completed by:
 Dispositive Motions to be served by:
 Opposition papers, if any, to be served by:
 Reply papers, if any, to be served by:
 Thank you for your consideration herein.

July 29, 2008
~~November 28~~
~~December 23, 2008~~
~~January 15~~
~~February 17, 2009~~
~~February 13~~
~~March 17, 2009~~
~~February 27~~
~~March 31, 2009~~

So Ordered
 as modified
 Shawn D. Fabian
 Counsel,
 USDOJ
 7/17/08

Respectfully submitted,



Shawn D. Fabian (SF4606)
 Assistant Corporation Counsel
 Special Federal Litigation Division

cc: Rene Myatt, Esq. (By First Class Mail)
Attorney for Plaintiff
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